

**LODI CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, NOVEMBER 20, 2001**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of November 20, 2001 was called to order by Mayor Nakanishi at 7:05 a.m.

Present: Council Members – Hitchcock, Howard, Land, Pennino and Mayor Nakanishi

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

B. CLOSED SESSION

At 7:05 a.m., Mayor Nakanishi adjourned the meeting to a Closed Session to discuss the following matter:

B-1 Pursuant to Government Code §54956.9(c); conference with legal counsel; anticipated litigation/initiation of litigation regarding Water System Chlorination pursuant to Compliance Order from the State of California Department of Health Services; one potential case

The Closed Session meeting adjourned at 7:35 a.m.

C. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:39 a.m., Mayor Nakanishi reconvened the meeting, and City Attorney Hays disclosed the following action.

In regard to B-1, Mr. Hays reported that the Council considered the issue of whether or not to initiate legal action with regard to the order it has received from the Department of Health Services that has directed the City to chlorinate its water system. After reviewing the circumstances and developing an understanding of the science, which indicates that the water the City provides its citizens is a healthful product, the Council directed the City Attorney's Office to file a writ of mandate challenging the order from the Department of Health Services.

Mayor Nakanishi commented that the Public Works Department is doing an excellent job and this decision was unanimous by staff and Council.

D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

E. ADJOURNMENT

The Closed Session Special meeting of the City Council adjourned at 7:40 a.m. to the regularly scheduled Shirtsleeve Session.

ATTEST:

Susan J. Blackston  
City Clerk